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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,834	07/20/2005	Andrew G.L. Blackwood	041618-77	8811
22204 7590 11/26/2008 NIXON PEABODY, LLP 401 9TH STREET, NW SUITE 900 WASHINGTON, DC 20004-2128				
EXAMINER RASHID, MAHBUBUR				
ART UNIT 3657		PAPER NUMBER		
MAIL DATE 11/26/2008		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/517,834

Applicant(s)

BLACKWOOD ET AL.

Examiner

MAHBUBUR RASHID

Art Unit

3657

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 October 2008.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3-10 and 12 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1, 3-10 and 12 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

Claims 1, 6-7, 10 and 12 are amended.

Claims 2 and 11 are canceled.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The applicant does not provide any support/evidence in the specification for the newly added limitations "if said system condition is not met with in a predetermined time period", in line 5 of claim 1.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1, 3-10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beck et al. (WO 01/17834) in view of Cramer et al. (US 5,027,529)(please note that the US patent 5,027,529 is the English equivalent of the Beck reference is used in this office action).

Regarding **claim 1, 10 and 12**, Beck discloses a vehicle air supply system (fig. 2) having a compressor (12), an air dryer (14), a reservoir (18) adapted to receive air from the compressor via the air dryer and control means (20) operable to cause standard regeneration of the air dryer when a predetermined system condition is met (abstract), the control means also being operable to cause an intermediate regeneration of the air dryer in advance of the predetermined system condition being met (see col. 2, lines 14-23) if said system condition is not met within a predetermined time period, wherein the control means includes a governor adapted to cause the standard regeneration and a governor bypass adapted to cause the intermediate regeneration (col. 2, lines 24-27).

Beck discloses all claimed limitations as set forth above but fails to disclose a control means also selectively cause and inhibit the regeneration depending upon air supply requirements as claimed. However, Cramer discloses a compressed air system where a control unit enabling and disabling of the in response to pressure level variations in the system and it also responds to compressor disabling by causing the system air dryer to regenerate or purge for a predetermined time period (please see the abstract; figs. 1-2; see also col. 1, lines 18-23, lines 35-40, col. 1, line 64 to col. 2, line 9, col. 2, lines 13-17, col. 4, lines 7-18, col. 4, line 61 to col. 5, line 9 and col. 6, lines 11-15). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide such control means taught by Cramer in the system of Beck in order to assure that the purge valve will not remain open longer than necessary to regenerate the desiccant, and also assures that the air dryer is purged at regular intervals, provided that the pressure level in the reservoir remains above a minimum safe pressure level, thus making the system more reliable.

Re-claim 3, please see col. 1, lines 58-60 of Beck '463.

Re-claim 4, please see col. 1, lines 60-63 of Beck '463.

Re-claim 5, please see col. 1, line 63 of Beck '463.

Re-claim 6, please see col. 2, lines 1-3 of Beck '463.

Re-claim 7, please see col. 2, lines 3-6 of Beck '463.

Re-claim 8, please see col. 2, line 6 of Beck '463.

Re-claim 9, please see col. 2, lines 9-10 of Beck '463.

Response to Arguments

Applicant's arguments with respect to claims 1, 3-10 and 12 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MAHBUBUR RASHID whose telephone number is (571)272-7218. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Siconolfi can be reached on (571) 272-7124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. R./
Examiner, Art Unit 3657

/Robert A. Siconolfi/
Supervisory Patent Examiner, Art
Unit 3657